

TOWN OF TUPPER LAKE REGULAR TOWN BOARD MEETING

July 10, 2014

Roll Call: Supervisor Patricia S. Littlefield
Councilman John Quinn
Councilman Michael Dechene
Councilwoman Kathleen Lefebvre
Councilman Rick Skiff

Recording Secretary: Laurie J Fuller – Town Clerk

Press: Mary Peryea- Tupper Lake Free Press
Shaun Kittle- Adirondack Daily Enterprise

Also: William Dechene- Highway Superintendent
Paul Besaw – Littlewolf Caretaker
Mike Fritts – Youth Activity Director

Guest: Rudolph Schneider
Jerry Maliszewski

1. Approve Minutes:

Town Clerk provided each board member a drafted copy of minutes dated June 12, 2014 for approval.

Motion to approve minutes as written for meeting dated June 12, 2014 was made by Councilman Dechene.

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 4/1 Littlefield, Dechene, Lefebvre & Skiff, Councilman Quinn abstain.

2. Rudolph Schneider & Jerry Maliszewski
Water Levels at Setting Pole Dam:

Rudolph Schneider & Jerry Maliszewski appeared before the town board to discuss the water levels at Setting Pole Dam and Underwood Bridge. Mr. Schneider believes part of the problem is related to weather the level is reported in inches or feet, adding that the figures reported by power authority are not accurate. Back towards the sewer plant is where the river used to flow, and that a ten foot culvert there would ease the flooding situation.

Jerry Maliszewski, Sunset Park Motel owner told board members that trees and other debris are slowing down water flow at dam. He also believes the gates can be opened wider, especially in the spring.

3. Approve Abstract #7 2014

Town of Tupper Lake
Abstract #7 – July 10, 2014
Vouchers #2014-0420 – 2014-0487

Fund		Prepaid/Debit	Unpaid	Total
General	200.01	\$2,962.87	\$13,107.13	\$16,070.00
Highway	200.03	\$31.90	\$1,838.04	\$1,869.94
Highway Outside	200.04	\$31.90	\$2,393.53	\$2,425.43
Fire District	200.06	-	-	-
Sewer #5	200.10	\$17,422.95	\$37.54	\$17,460.49
Sewer #8-1	200.12	-	\$5.18	\$5.18
Sewer #8-2	200.13	\$33.24	\$13.86	\$47.10
Sewer #17	200.15	\$33.24	\$5.17	\$38.41
Sewer #17-1	200.16	\$6,835.00	\$165.04	\$7,000.41
Sewer #17-2	200.17	\$2,995.00	\$35.49	\$3,030.49
Sewer #23	200.19	-	-	-
Water #3	200.21	\$33.24	\$79.19	\$112.43
Water #17	200.30	\$8,267.00	-	\$8,267.00
Moody Lighting	200.31	-	\$502.05	-
Water #15	200.36	-	\$4.66	\$4.66

Total for Abstract	\$38,646.34	\$18,186.88	\$56,833.22

Motion to approve abstract of audited vouchers in the amount of \$56,833.22 was made by Councilman Dechene.

Seconded by Councilman Quinn
All Town Board Members voted AYE 5/0 Littlefield, Quinn, Dechene, Lefebvre, Skiff

4. Approve Monthly reports:

Code Officer

Monthly Report
June 2014

10 Building Permits issued in June

0 Demolition Permits

5 Complaint filed

Completed 24 field inspections

June 2014 miles logged 213

Please contact me with any questions or concerns.

Respectfully submitted:

Paul O’Leary
Code Enforcement Officer
Town of Tupper Lake

Youth Activity Director

Recreation Report for July 10, 2014

ZOMBIE WALK

The planned Zombie Walk planned for August 23 has been usurped by another event. After being told by that event’s organizer that they had no intent on rescheduling I decided to take the high road and reschedule ours to early October. I would ask the board for a budget for this event. I was thinking around \$700 could cover the cost of needed materials and DJ and/or band.

BASEBALL

I would call this year’s baseball season a success. Our numbers were at par with last year but it was the effort put forth by parents/volunteers that made the difference. As every year going into the season there just isn’t enough help but in the end people always step up. This year’s acts of volunteerism were exceptional. We had coaches that really took their time and taught the kids the fundamentals of the game.

SOFTBALL

Believe it or not the season is still going. Bon Fletcher has is coaching 9 and 10 year olds and they continue to practice and play each week. In fact they are at the LP Quinn right now playing a team from Saranac Lake. They hope to add some games against Bloomingdale and Lake Placid

SOCCER

Soccer got underway this week and numbers were looking down until an influx of people decided to sign up late.

DAY CAMP

Day Camp has also started and Camp Director Jacob Klossner is doing an excellent job. Whenever I pop up for a visit they're always engaged in some sort of game, craft or activity. The staff has been phenomenal as well.

SWIM LESSONS

And swim lessons started this week. This is program that seems to grow each year. Enrollment is at 66. I believe a revamped program which includes wider flexibility in testing times has contributed to the program's success.

BEACHFEST

Hopefully we won't have 50-degree weather for this year's event. For this year we will once again do the popular kid's paintball triathlon, cardboard boat regatta, sandcastle building contest, games, movie, pizza party and more. And once again Sand Sculptor Phil Singer will be here. He will come up Friday night to work on his masterpiece and finish it on Saturday morning. I would like the board's permission to purchase the sand mix we got from Mitchell's as Mr. Singer said it was excellent material to work with.

Floor Hockey and Teen Baseball

Dog Control Officer

Town of Tupper Lake
Dog Control Report

For the Month of: June

Date: July 7, 2014

Complaints Received	5
Complaints Answered	5
Dogs Captured	4
Dogs return to owner	3
Dogs turned over to DCO	4
Dogs transported to Humane Society	0
Dogs Adopted	0
Dogs Euthonized	1
Dogs treated by Vet	1
Dangerous Dog Complaints	1
Tickets issued	0

Mileage 43.50 DCO Shaheen Ryan Shaheen

Report prepared by Shaheen R Shaheen DCO

Littlewolf Caretaker

Speed limit reduction to 5 mph 4 signs posted
Thank Woodmen's of the World, Rick Reandeau for donating 8 picnic tables
Garbage issue non campground items being dumped in dumpster
Like permission from board to spend some time pricing renovations of bathrooms
Water & Electric and possible restrooms for tent sites
Possible usage of lot #12 if trees removed to generate a seasonal site income
Adding fee to Pavilion to cover usage expenses such as garbage, maintenance electric and set up time
Closing date / End of September depending on weather, life guards done Labor Day, rate is prorated for month
Lifeguards want power for their building
Want to obtain permit for 50amp service on site 20,21,34 and water, sewer and electric to the site that replaced 12 to be completed by end of July / total cost would be around \$1400.00

Highway Superintendent

Councilman Quinn and Bill toured all town roads, seeing what repairs need to be done
Highway Superintendent reported they are still working on Hemlock Ledge Road and doing other road repairs
putting calcium chloride for dust control on Old Wawbeek Road.

Motion to approve monthly reports was made by Councilman Skiff

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 5/0 Littlefield, Quinn, Dechene, Lefebvre, Skiff

5. Committee Reports:
Councilwoman Lefebvre reported the carpet on the front **steps at Town Hall** needs to be replaced.
Board members all agreed, also need to start process working towards getting the front made handicap accessible.

Councilwoman Lefebvre also reported she has been approach on the **Flag poles at town hall**, why they are not being used.

Councilman Skiff asked if there was an update on the money for the **rec storage building at park**. Supervisor Littlefield will put in a call to Assemblywoman Janet Duprey.

Councilman Quinn reported a date has been set for the **Goodman Mountain dedication** ceremony for August 26, 2014.

6. Employee Handbook Quotes:

Three quotes received for employee handbook

- | | |
|---|------------|
| 1. Public Sector HR Consultants, LLC
14 Knollwood Drive
Glenville, New York 12302 | \$4,500.00 |
| 2. Hamel Resources, L.L.C.
10 Hawthorne Road
Lake George, NY 12845 | \$200.00 |
| 3. Daniel C. McKillip
PO Box 96
Lake Placid, New York 12946 | \$3,500.00 |

Motion to authorize appointing Hamel Resources, L.L.C. to create a Town Employee Handbook was made by Councilman Skiff

Seconded Councilwoman Lefebvre
All Town Board Members voted AYE 5/0 Littlefield, Quinn, Dechene, Lefebvre, Skiff

7. Update on sewer smell:

Supervisor Littlefield explained they are still discussing situation with Mark Robillard, Mark Kestner from Kestner Engineers and a gentlemen from the DEC. This is a process that is going to take a little time to what source is and how to fix.
Mark Kestner has reach out to manufacture of the grinder pumps E1, gentleman will come and make sure they are all working properly; Mark Robillard has gotten a hydro sulfite test kit.
Councilman Dehene spoke with a gentleman back in 2009, who believes the smell is coming from manhole on Dorothy Street.
Maybe flushing annually, Mr. Kestner suggested.

8. Amending application for Pavilion & Littlewolf Rules & Regulations:

Councilman Quinn & Councilwoman Lefebvre will meet with Life guards & Caretaker Paul and discuss changes to Pavilion and Littlewolf Rules & Regulations. Paul is recommending charging for use of pavilion. A \$50.00 use fee, also for Aaron Maddox Hall.
Paul will make changes to Pavilion and Rules & Regulations, and have Attorney Kirk Gagnier approve.

9. ROOST
Memorandum of Understanding:



Resolution #23/ 2014

DESTINATION MARKETING AND PLANNING CONTRACT

This AGREEMENT is entered into as of the 10th day of July, 2014 between:

PARTIES

The Town of Tupper Lake, 120 Demars Boulevard, Tupper Lake, NY 12986, and

The Village of Tupper Lake, 53 Park Street Tupper Lake, and

Regional Office of Sustainable Tourism, 2608 Main Street, Lake Placid, NY 12946 (hereinafter called "ROOST").

SCOPE

It is understood and agreed by the parties that ROOST will be responsible for destination marketing and destination planning services for Tupper Lake per the length of this contract.

Whereas the parties request that ROOST develop and implement a leisure travel and event marketing plan for the Tupper Lake area;

Whereas ROOST agrees to work with the Municipalities on destination planning; Whereas

ROOST agrees to design, host, maintain and develop content for a

PAYMENT

As consideration for the above listed services, the Tupper Lake Municipalities will pay ROOST \$80,000 minimum annually for three (3) year's for a total of \$240,000 minimum. Payments can be broken down quarterly as follows: (June-August / September-November / December-February / March-May).

TOWN OF TUPPER LAKE

By: _____
Patricia Littlefield, Supervisor

VILLAGE OF TUPPER LAKE

By: _____
Paul Maroun, Mayor

**REGIONAL OFFICE OF SUSTAINABLE TOURISM,
LAKE PLACID CONVENTION & VISITORS BUREAU**

By: _____
James B. McKenna, CEO



MEMORANDUM OF UNDERSTANDING

This MEMORANDUM OF UNDERSTANDING is entered into as of the 10th day of July, 2014 between:

PARTIES

The Town of Tupper Lake, 120 Demars Boulevard, Tupper Lake, NY 12986, and

The Village of Tupper Lake, 53 Park Street Tupper Lake, and

Regional Office of Sustainable Tourism, 2608 Main Street, Lake Placid, NY 12946 (hereinafter called "ROOST").

SCOPE

It is understood and agreed by the parties that ROOST will be responsible for leisure travel and event marketing for Tupper Lake.

As part of this understanding, it is agreed that ROOST will establish an office presence in Tupper Lake. Within 90.days of the signing of the "Marketing and Destination Planning Contract" between ROOST and the Town and Village of Tupper Lake, ROOST intends on establishing this office along a main corridor through Tupper Lake.

CONTRACT TERM

The term of this agreement is from July 10, 2014 through the length of the "Marketing and Destination Planning Contract" between ROOST and the Town of Tupper Lake and the Village of Tupper Lake. Upon the extension of the "Marketing and Destination Planning Contract" this agreement may be reviewed and extended by the parties.

TOWN OF TUPPER LAKE

By: _____
Patricia Littlefield, Supervisor

VILLAGE OF TUPPER LAKE

By: _____
Paul Maroun, Mayor

REGIONAL OFFICE OF SUSTAINABLE TOURISM

By: _____
James B. McKenna, CEO

Motion to approve ROOST Destination Marketing and Planning Contract & Memorandum of Understanding was made by Councilman Quinn

Seconded by Councilman Dechene

All Town Board Members voted AYE 5/0 Littlefield, Quinn, Dechene, Lefebvre, Skiff

10. Appoint Law Firm for
Land Use Violation:

At the June 12, 2014 Town Board Meeting approved and gave authorization to Paul O’Leary to seek outside counsel regarding a land use violation.

Motion authorizing the appointment of Miller, Mannix, Schachner & Hafner, LLC Law Firm as outside counsel for the matter involving Land Use Violation, parcel ID #491.-7-1.220 was made by Councilwoman Lefebvre.

Seconded by Councilman Skiff

All Town Board Members voted AYE 5/0 Littlefield, Quinn, Dechene, Lefebvre, Skiff

11. JCAP Resolution:

Supervisor Littlefield explained this is a resolution Judge Ellis brought to the Town. There are funds available \$30,000 available to Village and \$30,000 available for Town, the Village is building an emergency services building that will house the police department and by locating a new justice court in that building for the Town and Village.

Supervisor Littlefield stated she would like to see the Village pass this resolution before we pass it, since it is their building. All board members agreed.

Motion to **TABLE** Justice Court Assistance Program resolution was made by Councilman Quinn

Seconded by Councilman Dechene

All Town Board Members voted AYE 5/0 Littlefield, Quinn, Dechene, Lefebvre, Skiff

12. County Roadside Mowing
Resolution:

Resolution # 24-2014

This contract made the 10th day of July 2014 by and between the Town of Tupper Lake hereinafter called the "Town" and Franklin County Highway Department, hereinafter called the "County".

ARTICLE 1 - SCOPE OF WORK

The Town shall furnish all of the equipment and perform all of the work described in the Project Specifications attached.

ARTICLE 2 - TIME OF COMPLETION

The work to be performed under this contract shall be the first mowing should be completed by July 1, 2014 with the second mowing to be completed by September 15, 2014.

ARTICLE 3 - THE CONTRACT SUM

The County shall pay the Town for performance of the Contract in current funds at the rate of \$100.00 per mile for each mowing with a total of \$200.00 per mile/per season, 2.23 miles equaling Four hundred forty-six Dollars (\$446.00) upon completion of the work and submission of a properly certified invoice.

Upon receipt of notice that the work is ready for final inspection and acceptance, the County will promptly make such inspection, and when it finds the work acceptable under the contract and the contract fully performed, it shall promptly approve payment for the entire amount due the Town.

The making and acceptance of the final payment shall constitute a waiver of all claims by the County, except those arising from unsettled liens, from faulty work appearing after payment or from requirements of the specifications, and of all claims by the Town except those previously made and still unsettled.

ARTICLE 4 - CONTRACT DOCUMENTS

The Project Specifications together with this agreement form the contract and they are as fully a part of the contract as if hereto or herein repeated.

IN WITNESS THEREOF, the parties hereto have executed this Agreement, the day and year first above written.

COUNTY OF FRANKLIN

JONATHAN HUTCHINS, SUPERINTENDENT
FRANKLIN COUNTY HIGHWAY DEPARTMENT

Date: July 10, 2014

Motion: Councilman Quinn
Seconded: Councilman Dechene

TOWN OF TUPPER LAKE

SUPERVISOR

Action: Carried 5/0 vote

HIGHWAY SUPERINTENDENT

13. Bid results for 2,000
ton crusher run:

Notice to bidders

Notice is hereby given pursuant to section 103 General Municipal Law that the Town of Tupper Lake will accept bids for 2,000 ton, item #4, 1 ½” minus crusher run, has to meet state specs.

Bid to deliver to 18 Old Wawbeek Road, Tupper Lake, New York.

Sealed bids can be dropped off or mailed to the office of the Town Clerk, 120 Demars Blvd.
Tupper Lake, New York 12986 on or before 12:00 p.m. on July 7, 2014.

All Bids must be accompanied by a non-collusive certificate

The Town of Tupper Lake reserves the right to reject or waive any informalities in any and all bids if in the interest of the Town of Tupper Lake.

Town of Tupper Lake
Highway Superintendent
William Dechene

July 7, 2014

Date

Bid opening for:

2,000 ton item #4 1 ½ minus crusher

Name	Submitted Bid
<u>Graymont</u>	Coarse Crusher Run 2” minus \$12.20 per ton delivered Coarse Crusher Run 2” minus \$7.45 per ton FOB Fine Crusher Run 1 ¼” minus \$12.00 per ton delivered Fine Crusher Run 1 ¼” minus \$7.25 per ton FOB
<u>Mitchell Stone</u>	Item #4 Crusher Run \$13.25 per ton delivered

Date of Opening 7-7-2014
Time of Opening 12:00 p.m.

Guest Present:

Witness: Laurie J Fuller – Town Clerk
Patricia S Littlefield – Town Supervisor

Bid was awarded to Graymont

Town Clerk

Town of Tupper Lake
120 Demars Blvd.
Tupper Lake, NY 12986

Motion to award bid to Graymont for coarse crusher run at \$12.20 per ton delivered was made by Councilwoman Lefebvre

Seconded by Councilman Skiff
All Town Board Members voted AYE 5/0 Littlefield, Quinn, Dechene, Lefebvre, Skiff

14. Bid results for
Utility Tractor:

NOTICE TO BIDDERS

Notice is hereby given, pursuant to section 103 of the General Municipal Law that the Town of Tupper Lake is seeking bids for a new 25 hp, 4 wheel drive sub-compact tractor with attachments. Specs are available in the town clerk's office. Purchase option: dealer financing 0% interest up to 60 months. Sealed bids can be dropped off or mailed to the office of the Town Clerk, 120 Demars Blvd. Tupper Lake New York 12986 on or before 4:00 p.m. on Wednesday, July 9, 2014.

All bids must be accompanied by a non-collusive certificate.

The Town of Tupper Lake reserves the right to reject or to waive any informalities in any and all bids if in the interest of the Town of Tupper Lake.

Town of Tupper Lake
Laurie J Fuller, Town Clerk
120 Demars Blvd.
Tupper Lake, NY 12986
518-359-9261

New 25HP Tractor with Accessories: Bid results: Bid opening for a New 25HP tractor w/attachments
Bid Open: July 9, 2014 @ 4:00 P.M. Town Clerk's Office:
Witness to bid opening: Laurie Fuller, Patricia Littlefield

Bidder:	Non Collusive:	Option #1 State Contract Pricing	Option #2 outright price
Laberge & Curtis Inc.	Yes	JD1025R 19,057.21	22,317.82
5984 CR 27		Mower 2155.51	2290.98
Canton, NY 13617		Pallet Fork 929.88	1152.68
Phone: 315/386-5296		Standard Rake 992.64	1334.23
www.lebergeandcurtis.com			
Duane Taylor		Total \$23,135.24	\$27,095.71

Notes: Municipal lease program current rate is 4% interest for 60 months and \$50 origination fee. Installment loan would be 4.15% for 60 months. State contract pricing does not offer 0% because of the discount price offer from John Deere.

0% could be used if purchase outright price

Bidder:	Non Collusive		
Taylor Rental	Yes	MX24HL	
550 Route 3, Suite 100		Mahindra	14,663.00 add Backhoe 5225
Plattsburgh, NY 12901		Mower	960 Bucket 960
Phone: 518/324-5100		Quick Coupler	550
Fax: 518/324-5663		Rake	688
www.taylorrentalny.com		Pallet Forks	467
Jordon Keleher			
	Total		\$17,328.00 \$23,003.00

Note: This is a 14 week lead time but the unit could be used with pin on forks and if we wanted to use pin on we could delete the quick coupler.

0% for 60 months quoted. \$1500.00 cash in lieu of financing discount available.

Motion to award bid to LaBerge & Curtis was made by Councilman Quinn.

Seconded Councilman Dechene
All Town Board Members voted AYE 5/0 Littlefield, Quinn, Dechene, Lefebvre, Skiff

15. Executive Session:

Motion to enter into executive session at 8:40 p.m. was made by Councilman Dechene

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 5/0 Littlefield, Quinn, Dechene, Lefebvre, Skiff

Motion to enter out of executive session at 9:20 p.m. with no action taken was made by Councilman Quinn

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 5/0 Littlefield, Quinn, Dechene, Lefebvre, Skiff

16. Adjourn:

Motion to adjourn at 9:20 p.m. was made by Councilman Quinn

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 5/0 Littlefield, Quinn, Dechene, Lefebvre, Skiff